

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Call Authentication Trust Anchor	)	WC Docket No. 17-97
	)	

**COMMENTS OF  
USTELECOM – THE BROADBAND ASSOCIATION**

USTelecom – The Broadband Association (“USTelecom”)<sup>1</sup> submits these comments in response to the Federal Communications Commission’s (“Commission’s” or “FCC’s”) *Third Further Notice of Proposed Rulemaking* (“*Third FNPRM*”)<sup>2</sup> proposing to accelerate the date by which small voice providers that originate an especially large amount of call traffic must implement the STIR/SHAKEN caller ID authentication framework. As USTelecom has previously indicated, an extension for small providers from STIR/SHAKEN deployment requirements is justified.<sup>3</sup> Providers that meet the definition of small provider for the extension but that originate a disproportionate amount of traffic relative to their subscriber base, however, should not be eligible for the full two-year delay in deploying caller ID authentication technology. USTelecom therefore supports the *Third FNPRM*’s objective to ensure that

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<sup>1</sup> USTelecom is the premier trade association representing service providers and suppliers for the communications industry. USTelecom members provide a full array of services, including broadband, voice, data, and video over wireline and wireless networks. Its diverse membership ranges from international publicly traded corporations to local and regional companies and cooperatives, serving consumers and businesses in every corner of the country and around the world. USTelecom also leads the Industry Traceback Group, a collaborative effort of companies across the wireline, wireless, VoIP and cable industries actively working to trace and identify the source of illegal robocalls. The ITG was designated by the FCC as the official U.S. robocall traceback consortium in July 2020.

<sup>2</sup> *Call Authentication Trust Anchor*, Third Further Notice of Proposed Rulemaking, WC Docket No. 17-97, FCC 21-62 (rel. May 21, 2021) (“*Third FNPRM*”).

<sup>3</sup> For this reason, USTelecom supports the *Third FNPRM*’s proposal to maintain as is the extension for small providers that are not responsible for originating high-volume robocall traffic. *See id.* ¶ 19.

Americans are protected from illegal robocalls—and especially illegally spoofed robocalls—by ensuring that such providers authenticate calls sooner.

In adopting the existing two-year extension for small providers, the Commission defined small voice service providers by voice subscriber lines, namely that any provider with 100,000 or fewer met the definition.<sup>4</sup> At the time, USTelecom observed that the definition included some providers that originate a disproportionate amount of traffic relative to their subscriber base.<sup>5</sup> For instance, some providers offer platforms that allow their customers to generate hundreds of thousands of prerecorded calls per day divorced from any notion of subscriber line, which amounts to far more calls than a residential or typical business would make per line. Those providers should not have the same extra time to start signing the large quantities of traffic they create as do small providers that truly serve 100,000 lines or less. Accordingly, USTelecom urged the Commission to exclude from the definition those small voice service providers that either receive more than half of their revenue from customers purchasing services that are not mass-market services or originate more than 500 calls per day for any single line in the normal course of business.<sup>6</sup> USTelecom subsequently suggested that the Commission could focus on the type of calling enabled by a particular platform in order to capture voice broadcasters and other prolific originators, without also capturing small providers that should benefit from the full extension.<sup>7</sup> For example, if a voice service provider allows its customers to upload and

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<sup>4</sup> *Call Authentication Trust Anchor*, Second Report and Order, 36 FCC Rcd 1859, ¶ 40 (2020).

<sup>5</sup> *See id.* ¶ 48 (citing Notice of Ex Parte of USTelecom, WC Docket No. 17-97, at 5-6 (filed Sept. 18, 2021); Written Ex Parte of USTelecom, WC Docket No. 17-97, at 2 n.5 (filed Sept. 23, 2020) (“USTelecom Sept. 23, 2020 Ex Parte”)).

<sup>6</sup> USTelecom Sept. 23, 2020 Ex Parte at 2 n.5.

<sup>7</sup> *See* Notice of Ex Parte of USTelecom, WC Docket No. 17-97, at 2 (filed Apr. 15, 2021).

broadcast a large quantity of prerecorded messages, that provider could be prohibited from taking advantage of the full extension.<sup>8</sup>

Regardless of the mechanism or metrics the Commission relies on to achieve the goal, what is key is that providers that originate a substantial amount of traffic, particularly those that serve heavy callers with IP-based voice broadcasting services, are required to sign traffic in the near future. The benefits to the ecosystem of high-volume originators deploying STIR/SHAKEN in a timely manner are self-evident. After all, as the Commission notes, “providers that originate more traffic will authenticate more calls.”<sup>9</sup> If providers sign calls that they originate on behalf of high-volume callers, a much higher number of calls will be authenticated sooner. To that end, any costs to those providers—which may be limited given that small IP-based voice broadcasters in particular have more streamlined network architecture—will be more than offset by the benefit to the public of implementing STIR/SHAKEN expeditiously.<sup>10</sup>

The *Third FNPRM* seeks to target “the subset of small voice providers that are at a heightened risk of originating an especially large amount of robocall traffic.”<sup>11</sup> As the Commission and other stakeholders recognize, some small providers are not only responsible for a high volume of robocalls—they also are disproportionately responsible for *illegal* robocalls.<sup>12</sup> That has been USTelecom’s experience leading the Industry Traceback Group (“ITG”): Most ITG tracebacks identify smaller, VoIP-based providers as the originator for illegal robocalls that

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<sup>8</sup> *Id.*

<sup>9</sup> *See Third FNPRM* ¶ 15.

<sup>10</sup> *See id.* ¶¶ 7, 18.

<sup>11</sup> *Id.* ¶ 1.

<sup>12</sup> *See id.* ¶ 8.

are traced back, whether those calls originate in the United States or abroad. Tracebacks seldom conclude that a facilities-based provider, whether a large one or small one such as a rural local exchange carrier or rural wireless provider, originated the robocall.

The Commission's proposal to reduce the extension by one year is reasonable.<sup>13</sup> One year gives providers that no longer meet the Commission's refined small provider criteria enough time to accelerate implementation of STIR/SHAKEN, and many already may be on their way towards full implementation. Indeed, a cursory review of the Robocall Mitigation Database indicates that many small VoIP providers have already fully implemented STIR/SHAKEN. Such providers, as well as others that originate a disproportionate amount of traffic relative to their small subscriber base, are unlikely to have the same resource constraints and technical challenges to deployments as other small providers.<sup>14</sup> Therefore, by accelerating the date by which these providers must implement the STIR/SHAKEN framework, the Commission is taking a necessary step to combat illegal robocalls.

USTelecom also supports the Commission's proposal to rely on the current rule requiring providers to update the Commission on the term and type of their extension and when they have implemented STIR/SHAKEN.<sup>15</sup> As the Commission explains, under that rule, providers subject to any reduced extension would need to update their certifications within ten business days of the effective date of the order adopted by the Commission indicating that they are subject to a

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<sup>13</sup> *See id.* ¶ 39. Should any provider have circumstances that would prevent them from meeting the deadline, they can always seek a waiver based on those circumstances. *See id.* ¶ 40.

<sup>14</sup> *See id.* ¶ 18.

<sup>15</sup> *Id.* ¶ 43.

shortened extension.<sup>16</sup> Providers still subject to the two-year extension appropriately would not need to amend their certifications.<sup>17</sup>

USTelecom appreciates the work that the Commission has done to combat illegal robocalls. Whatever approach the Commission ultimately takes, it should be guided by a simple goal: Voice service providers that routinely originate traffic on behalf of high-volume callers, including in particular voice broadcasters that enable robocalling as their business model, should deploy STIR/SHAKEN in a timely manner. There may be several approaches to meet that goal, including those proposed by USTelecom and referenced in the *Third FNPRM*. Ultimately, the Commission should ensure that its approach to shortening the small provider extension for originating voice service providers serving high-volume callers is clear, easily enforceable, and captures all providers that enable high-volume robocalling. USTelecom looks forward to continuing to partner with the Commission in the multi-faceted effort to stop illegal robocalls and protect consumers.

Respectfully submitted,

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<sup>16</sup> *Id.*

<sup>17</sup> *Id.*